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COMMISSION ON HUMAN RIGHTS

Fifty-eighth session

SUMMARY RECORD OF THE 13th MEETING

Held at the Palais des Nations, Geneva,
on Monday, 25 March 2002, at 10 a.m.

Chairperson:	Mr. JAKUBOWSKI	(Poland)
later:	Mr. LEWALTER (Vice-Chairperson)	(Germany)
later:	Mr. SALLOUM (Vice-Chairperson)	(Syrian Arab Republic)
later:	Mr. JAKUBOWSKI (Chairperson)	(Poland)

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THE RIGHT TO DEVELOPMENT (continued)

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The meeting was called to order at 10.05 a.m.

THE RIGHT TO DEVELOPMENT (agenda item 7) (continued) (E/CN.4/2002/27, 28, 133 and 139; E/CN.4/2002/NGO/22, 50, 95, 105, 109, 114, 124 and 146; E/CN.4/2002/WG.18/2)

1. Mr. AL-ARADI (Bahrain) said that the right to development was essential to the enjoyment of all the human rights and fundamental freedoms contained in the relevant international instruments, and to the well-being and participation of individuals in their own societies. His Government attached great importance to the joint effort made by the individual and the community, through public and private-sector institutions, to achieve economic progress and equality for all.

2. Bahrain had made great strides along the road to development by acknowledging the many factors and variables involved and by making use of all available indicators in establishing a serious government policy and allocating resources to development. In addition, the 2001 Constitution provided a basis for development by consolidating human rights and providing for the separation of powers and the right to freedom of expression, as well as establishing the importance of the family, children, the advancement of youth, and care for the disabled and older people. It also recognized women's human rights and provided that the benefits of scientific progress should be made available to everyone. Provision was also made for tax exemptions and housing for low-income families.

3. His Government saw it as a duty of the State to enhance equality of opportunity and the capacity of all sectors to participate in society.

4. Mr. BOWA (Zambia), having endorsed the statement by the representative of Nigeria on behalf of the African Group, said that the right to development was the foundation of all other rights but what needed to be agreed upon was how to secure that right. His delegation associated itself with the position of the open-ended working group on the right to development, and congratulated its Chairperson-Rapporteur on the transparency and honesty with which he had presided over its negotiations.

5. Poor countries had been marginalized as a result of the imposition of failed development models and strategies and of the conditionality attached to loans and development assistance. Zambia's own once-vibrant workforce had been reduced to penury following industrial closures and mass unemployment due mainly to the social insensitivity of structural adjustment programmes.

6. For developing countries to be able to shape their development in accordance with their own priorities, they needed to become full partners in decision-making on international trade. More generous measures in addition to the highly-indebted poor countries (HIPC) initiative were also needed in order to relieve them of their debt burden. His delegation welcomed the New Partnership for the Development of Africa (NEPAD), which could help promote a human rights based approach to development, and called on Africa's cooperating partners to support the initiative fully.

7. Mr. BENCHERIF (Algeria) said that his delegation welcomed the outcome of the difficult negotiations in the working group on the right to development, which reflected the determination of all those involved that the right to development should be a link, rather than a field of contention, between North and South. The working group had realized how important it was to work together to mitigate the negative impact of globalization through firm action against poverty and social exclusion.

8. The promotion and protection of the right to development required a paradigm shift in international institutions and within States in order to take account of the new perception of sustainable human development. His delegation was pleased to note that the NEPAD initiative, with its reliance on African skills, resources and methods, was widely considered to reflect that shift, and welcomed the importance the High Commissioner had attached to it in her statement.

9. Mr. ATTAR (Saudi Arabia) said that the full implementation of the right to development was the best way of furthering the realization of all other rights. The Commission should accord the right to development the importance it deserved and treat it on an equal footing with other rights. The international community had a responsibility to create an appropriate environment for the realization of all human rights on an equal basis. Good will was needed, therefore, particularly in the working group on the right to development, and his delegation hoped that the positive spirit of cooperation among the various regional groups would continue at the working group's next session.

10. Certain practical steps could be taken without delay for the benefit of the developing and least developed countries, including debt cancellation - a measure Saudi Arabia had already adopted in respect of 11 such countries. In addition, although the national dimension of the realization of the right to development was not to be underestimated, the key factor was the international dimension. Sincere political will was required if donor countries were to fulfil their pledges to devote 0.7 per cent of their gross national product (GNP) to foreign aid; developing countries had been hard hit by the industrial countries' protectionist tariffs and by their subsidies to domestic agriculture, which in 1997-1999 had amounted to five times the total of official development aid (ODA).

11. He welcomed the fourth report of the independent expert, but would appreciate clarification of his proposed standard model for realization of the right to development, and of the term "development compact", a concept which risked politicizing the right to development. The report also ignored some easily accessible information: for example, in stating that few countries had approached the 0.7 per cent target, the independent expert had overlooked the fact that, between 1973 and 2000, Saudi Arabia had devoted 4 per cent of its average annual GNP to foreign aid, the highest percentage of any country in the world.

12. However, his delegation very much appreciated the independent expert's work and was aware of the problems impeding the effective discharge of his mandate, including the extent of the support he received from the Research and Right to Development Branch. It was important to establish whether there were financial or technical problems preventing the Branch from providing the required expertise.

13. Mr. Lewalter (Germany), Vice-Chairperson, took the Chair.

14. Mr. ABDALLA (Sudan), having aligned his delegation with the statement by the representative of Nigeria on behalf of the African Group, said that despite the provisions of the Declaration on the Right to Development, 16 years had passed since its adoption, without any tangible result. The situation of the poor had changed little in the past decade despite the developing countries' unremitting efforts to create a domestic environment conducive to realization of the right to development. His delegation was convinced that the key factors were the external environment and the enormous shortfall in resources and capital available to developing economies. He therefore called upon the independent expert to elaborate further on the conceptual framework he proposed to overcome that problem.

15. The Uruguay Round had caused enormous problems to poor countries, particularly the least developed countries: according to the United Nations Development Programme (UNDP), 80 developing countries had suffered a net reduction in income over the past decade. The Commission should undertake a critical analysis of the impact of trade liberalization, paying due attention to the issues of market access, appropriate technology transfer, and the relationship between complex trade agreements such as Trade-Related Aspects of Intellectual Property Rights (TRIPS) and the realization of the right to development.

16. His delegation hoped that the outcome of the International Conference on Financing for Development would make an effective contribution to the realization of the right to development, and called on the members of the Commission to endorse the working group's report and adopt the relevant resolution by consensus.

17. Mr. Salloum (Syrian Arab Republic), Vice-Chairperson, took the Chair.

18. Mr. DUONG CHI DUNG (Viet Nam) said that there were innumerable obstacles to the realization of the right to development in developing countries. National efforts were of primary importance but they needed to be supported by a stable environment and concerted efforts at the international level. Basic principles such as equality, non-discrimination, transparency, participation and international cooperation and partnership were of crucial importance, and the developed countries should give developing countries preferential treatment in market access, technology transfer and debt-related measures.

19. Viet Nam itself had made great progress in poverty reduction in the previous 15 years, and the last decade had seen some remarkable improvements in the population's education and health. The process of reform had enhanced people's participation in political, economic, social and cultural activities and their involvement in implementation of the national development policy. That could not have been done without the valuable support and assistance of other countries and international organizations around the world, to which his delegation expressed its sincere gratitude. It was high time that the international community fulfilled all its commitments to the right to development by means of practical and concrete action.

20. Mr. ARENALES FORNO (Guatemala) said that the right to development was a collective human right which contained duties and obligations of States to their people as well as between States. The scope of both the international and national obligations in that regard should be set out in a convention. International financial and technical cooperation for

development was thus an obligation on the part of States to contribute to the right to development, as were the establishment and implementation of economic, financial and commercial policies which created an environment conducive to development.

21. International development assistance efforts would not however bear fruit unless the receiving countries fulfilled their obligation to ensure good governance, protect human rights and eliminate corruption. Those national responsibilities could not be avoided either on the pretext of lack of cooperation or of unfavourable international trade practices.

22. The working group on the right to development had noted some examples of efforts at the national and international level to implement the right but it was difficult to evaluate those efforts without a legal framework defining the scope of such obligations. Furthermore, although the right to development had been recognized by the United Nations in 1986 and confirmed at the Vienna Conference of 1993, it had not so far been very well defined. It was therefore urgent to establish a binding legal framework which would encompass the universally recognized principles contained in the Declaration on the Right to Development.

23. Ms. GREGSON (Canada) said that the discussions in the working group on the right to development had covered a wide range of issues, including concrete actions at the national and international levels, had been very productive and would contribute to the promotion and implementation of the right to development. She therefore welcomed its conclusions and recommendations.

24. She regretted, however, that the working group had not seen fit to welcome the Doha Development Agenda adopted by the World Trade Organization (WTO) in November 2001, which would contribute to economic growth and the reduction of poverty. The Doha Declaration made substantial commitments regarding enhanced trade-related technical assistance and capacity-building for developing countries, and developments at the WTO since then, such as the recent successful pledging conference for the Global Trust Fund for technical cooperation and capacity-building, had shown its members' commitment to follow-up. The world trading system clearly made a positive contribution to the right to development for all and her delegation was looking forward to continued cooperation on that subject, with particular reference to the relevant draft resolution.

25. Ms. LAOHAPHAN (Thailand) said her delegation attached great importance to the right to development as a legitimate and universal human right as well as to the need for States and the international community to cooperate in creating an environment conducive to the effective promotion and protection of the right to development and of all other human rights. Her Government was endeavouring to make the right to development a reality for all its citizens as part of its new approach to economic and social policy development, with the aim of promoting capacity-building and human development at the grass-roots level using a human rights-based approach. The necessary legal infrastructure and national mechanisms had been established.

26. As a concrete first step towards full implementation of the right to development, education, health, food security and poverty reduction had been stressed. Free basic education was provided, the debt of more than 2 million small-scale farmers had been suspended and a

nationwide health insurance scheme was becoming increasingly available. In addition, a People's Bank and microcredit schemes for the rural and urban poor had been established to assist communities and populations in developing, financing and marketing local products based on local know-how. Her Government's emphasis on those areas reflected the fact that limited resources required prioritization of the most pressing needs. Lack of resources and negative external conditions had seriously affected its ability to implement fully its people's right to development.

27. At the regional and international levels, her Government had been active in strengthening cooperation for the promotion of human rights in partnership with United Nations agencies such as the Office of the United Nations High Commissioner for Refugees (UNHCR), in providing temporary refuge for over 100,000 displaced persons. In 1999, it had hosted the international symposium which had led to the adoption of the Bangkok Declaration on Irregular Migration and, in 2001, it had hosted the Commission's ninth workshop on regional cooperation for the promotion and protection of human rights in the Asia-Pacific region.

28. Given the challenges and opportunities of globalization, human rights and sustained prosperity required commitment and action on the national and international levels to shape a human rights-based global development agenda. It would be remembered that over 1.2 billion people in the world, more than 800 million of them in the Asia-Pacific region, still lived on less than US$ 1 per day and, as the distribution of wealth became increasingly unequal, the poor were often the hardest hit.

29. In sub-Saharan Africa, more than 50 per cent of the population lived below the poverty level, while the least developed countries' share of global exports had decreased from 0.6 per cent in 1980 to 0.4 per cent in 1998, contributing to their increasing marginalization; the poorest countries had a per capita gross domestic product (GDP) of only US$ 100. Her delegation shared the Secretary-General's concern that the benefits of globalization were unevenly distributed, while its costs were borne by all. Clearly much remained to be done to implement the right to development.

30. Although national Governments, including those of the developing countries, had recognized that the major responsibility for realizing the right to development rested with individual States, international assistance remained essential and nation States and the international community must consolidate their efforts to promote economic growth and provide the financial, technological and institutional resources required for effective implementation of the right to development.

31. The Office of the High Commissioner for Human Rights (OHCHR), the Commission and the working group on the right to development were the key United Nations institutions for the promotion of the right to development, the foundations of which had been laid by the 1986 Declaration on the Right to Development and the 1993 Vienna Declaration and Programme of Action. The Commission should intensify its efforts to arrive at a common understanding and a unanimous acceptance of the right to development and the reciprocal nature of the obligations it implied. It must also overcome the difficulties experienced in the working group concerning the proposal on modalities for effective implementation and realization of the right.

32. Mr. ZAFERA (Observer for Madagascar), having associated his delegation with the statement made by the representative of Nigeria on behalf of the African Group, said that the right to development and to a life with dignity were universally accepted and had been confirmed by the Vienna Declaration and Programme of Action.

33. Unfortunately, poverty continued to hinder the effective realization of the right to development and States bore a heavy responsibility for eradicating or attenuating its effects. The developing countries, particularly those of sub-Saharan Africa, had made the elimination of poverty a priority but, given the social and economic problems they faced, they required increased assistance from the international community to that end.

34. Peace, development and human rights were interdependent and it was in the interest of all nations to strengthen cooperation within the framework of a partnership based on human solidarity, shared responsibility, human dignity and the well-being of future generations in order to eliminate poverty and promote sustainable development. That was the spirit, for example, in which the regional NEPAD had been proposed. At the national level, Governments must adopt appropriate development policies, with full participation by the population, including civil society and women, in the development process, and ensure transparent management of public affairs. At the international level, strengthened cooperation must lead to full implementation of the commitments relating to the elimination of poverty made at the Social Summit in Copenhagen.

35. Mr. AL-NIMA (Observer for Iraq) said that, although the Vienna Conference of 1993 had recognized the importance of the right to development, much still remained to be done to meet the aspirations of the peoples of the developing countries. Full implementation of the right to development required effective national development policies as well as international cooperation which stressed the elimination of poverty, hunger and disease. International measures should include the elimination or reduction of the debt of the developing countries, the opening up of world markets to their products, support to face the challenges of globalization and financial crises, increased ODA, the lifting of sanctions against developing countries and efforts to promote international peace and security.

36. His Government had prioritized agriculture, industry, health, education, culture, social programmes and the building of infrastructure. Illiteracy and underemployment had been eliminated and poverty had been greatly reduced, despite the economic embargo and the great loss of life caused by continued United States and United Kingdom air attacks. Those attacks had seriously affected the economy and contributed to unemployment, poverty and the prevalence of disease. He urged the Commission to assume its responsibilities and call for the lifting of the blockade and an end to the air attacks against his country.

37. Ms. SORGHO-MOULINIER (United Nations Development Programme (UNDP)) said that UNDP strategy was based on three principles: the inalienable nature of the right to development, the realization of that right through a process of economic, social, cultural and political development and the right of all individuals and peoples to participate in and contribute to development and enjoy the benefits thereof.

38. Since 1998, UNDP had been integrating human rights and sustainable development principles into its programmes and partnerships as well as into all the organizational measures adopted internally. In the case of programmes, particular attention was paid to vulnerable and marginalized groups and to the link between discrimination, social injustice and development. UNDP programmes related in particular to good governance issues such as corruption, the rule of law, participation and access to information. Mechanisms to promote the right to development included actions at the local community level and the Human Development Report 2000, the first annual report devoted to the theme of human rights, and human development, which noted that about 50 UNDP field offices reported activities connected with human rights.

39. As for partnerships, UNDP was aware of the need to strengthen collaboration with other sectors in the area of sustainable human development. The Human Rights Strengthening (HURIST) project in collaboration with OHCHR had entered its second phase, which would add the further objective of increasing awareness of the effect of globalization on human rights at the national and regional levels. UNDP was also working with other United Nations bodies to develop a training module on the integration of human rights into development for local United Nations teams involved in the Common Country Assessment (CCA) process and the United Nations Development Assistance Framework (UNDAF). A closer and more systematic relationship was also planned with supervisory bodies, special procedures and monitoring mechanisms. Accordingly, a detailed annual report on UNDP activities related to human rights would be submitted to the Commission from its next session onwards.

40. Finally, at the internal level, being conscious of the need to provide itself with the means to integrate human rights into its day-to-day work and apply a human rights-based approach to development, UNDP had increased its technical expertise in the human rights area, developed teaching materials, organized an electronic discussion forum and created a Democratic Governance Trust Fund as a mechanism for mobilizing non-core resources.

41. Having begun in 1998 with virtually no experience in the human rights field, UNDP had since integrated human rights into human development activities and was committed to such efforts, being convinced that the ultimate aim of human development was to contribute to the inherent dignity and value of all human beings throughout the world.

42. Mr. REZA ALBORZI (Observer for the Islamic Republic of Iran) said it was regrettable that realization of the right to development had been impeded by arguments about the concept and content of the right and the reluctance by some countries to recognize it as one of the fundamental human rights towards which all countries had certain duties and obligations. As stressed in the Declaration on the Right to Development, it was an inalienable human right which could not be reduced merely to development programmes or the eradication of poverty, to be dealt with in international economic forums. One reason for the lack of progress lay in the fact that the right to development had often been treated differently from civil and political rights, thus receiving less attention and inadequate support. To ensure its full realization, it must be treated as an integral part of all human rights and freedoms.

43. International cooperation for development was essential and was the responsibility of all actors in the development process. It was to a large extent dependent upon the existence of a fair

and favourable international economic environment. Currently, however, a handful of developed countries decided macroeconomic and monetary policies which had far-reaching effects, particularly on the developing countries, but without the latter's participation.

44. The international economic environment could not be responsive to the needs of the world's majority if the developing countries were not allowed to participate in macroeconomic policy decisions. Accordingly, in order to achieve real and sustainable development, every country should, free from any political consideration, have access to the decision-making process in all international financial and monetary organizations.

45. He welcomed the progress made by the working group on the right to development. Its conclusions contained views on aspects of the right which could be used as a basis for further improvement and he urged all sides to maintain the spirit of cooperation in the group's work. The establishment of a permanent follow-up mechanism, was essential. His delegation supported the extension of the mandate of the working group for another two years as a necessary part of efforts to realize the right to development.

46. Mr. KOUBAA (Observer for Tunisia) expressed his support for the recommendations of the working group on the right to development and stressed that human rights, including the right to development, were just as important as social, economic and political rights. His Government was committed to integrating all those rights into the development process. It had adopted measures to liberalize trade, increase competitiveness and promote growth. It had increased employment, improved the educational system and made social services available to more than 80 per cent of the population. External and internal resources had been mobilized to stimulate economic activity, develop infrastructure and technical capacity, assist enterprises and expand trade.

47. Although he recognized the importance of globalization, he regretted that its benefits were not shared equally by all countries. Some of the obstacles hindering full implementation of the right to development included technical and trade barriers, insufficient development assistance, barriers to the free movement of peoples and inadequate transfers of technology and knowledge. More must be done to solve the debt crisis being faced by the least-developed countries, more funding must be made available for development projects and support in general for United Nations development efforts should be strengthened. He recalled that, in the Millennium Declaration, the heads of State had pledged themselves to work together to eliminate poverty and he looked forward to the establishment of a fund and mechanism for that purpose at the next session of the General Assembly. He also looked forward to further consolidation and strengthening of international efforts to ensure full implementation of the right to development.

48. Mr. Jakubowski (Poland), resumed the Chair.

49. Mr. SFEIR-YOUNIS (World Bank) said that, over the last two years, the Bank had participated actively in the work of the open-ended working group on the right to development. The working group's conclusions showed considerable progress in comparison with the previous year, and should be taken into account in all the contexts of public policy-making. Conceptually, however, the nature and scope of the right to development required further clarification.

50. The right to development should be approached as a development paradigm which defined the assignment and management of rights and obligations over all productive assets of the economy. The working group should seek closer cooperation with the Committee on Economic, Social and Cultural Rights. The right to development should be viewed as more than just the sum of its parts, and its implementation required major adjustments in programmes and projects supported by a new generation of policies. The debate on the right to development should refer to wealth creation and the reduction of inequities, otherwise it would remain devoid of economic meaning.

51. The Bank was aware of the link between economic development and the realization of the right to development. It was essential to eliminate absolute poverty, because people who lived in poverty were apt to have their human rights violated. In that context, the least-developed countries (LDCs) faced the dilemma of how to reconcile human rights norms and standards with tough development realities. They were also obliged to operate in situations requiring collective action at the global level, and to learn how to package human rights policies for national consumption.

52. The Bank was uniquely positioned to help countries foster and maintain the indivisible linkage between individual and universal rights. In each case, priorities would be determined by the political economy of implementation, but special emphasis should be placed on equity, empowerment, governance, institutions, affordability, and new social contracts and value systems. Over the past year, a very fruitful partnership had been inaugurated between the Bank and OHCHR. The Bank was serious in its desire to realize the right to development. Implementing that right was a multidimensional task in which each institution must maximize its performance in relation to existing mandates.

53. Mr. DERRAR (Observer for Egypt), having endorsed the statement by the representative of Nigeria on behalf of the African Group, said that his delegation welcomed the efforts of the open-ended working group on the right to development to initiate a genuine dialogue. At the national level, States needed to restructure their economic and trading systems to sugar the pill of globalization. His Government was disappointed that international financial institutions had not made a greater contribution to that debate. Nevertheless, the working group had made an important contribution to highlighting the international nature of the right to development, which should be viewed as a framework based on the indivisibility of individual and collective rights.

54. Good governance and the respect by all States for their human rights commitments were obviously crucial, and the working group should lay particular emphasis on those points in its discussions. To that end, the group should be provided with the necessary resources to enable it to carry out its mandate. NEPAD was an excellent model for future cooperation between developed and developing countries.

55. Mr. ALI (Observer for Bangladesh), speaking on behalf of the *least developed countries* (LDCs), said that, although the conclusions of the working group on the right to development fell somewhat short of LDC expectations, they would nevertheless serve as a basis for further elaboration. Agreement had been reached on one fundamental principle, namely, that the

responsibility for the development of LDCs rested with national Governments. LDC Governments were committed to pursuing policies that fostered good governance and sound economic thinking.

56. In a globalized world, there was clearly a link between what LDCs were trying to achieve and the dictates imposed by the wider international context. The latter included trade, the preferred engine of growth. Yet, the market share of LDCs had decreased from approximately 2 per cent of world trade at the end of the 1960s to just 0.4 per cent in 2000. Unless the trend towards marginalization was halted, human rights would become a meaningless abstraction to LDCs.

57. Finance for development was another vital necessity, particularly for LDCs, where domestic savings were inadequate to provide the level of investment needed for high rates of growth. It was an unfortunate fact that ODA had declined in real terms. The level of LDC debt had reached worrying proportions, and despite efforts such as the HIPC initiative, little meaningful progress had been made Other areas requiring urgent attention were environmental factors, infrastructure, supply capacity and human resource development.

58. A monitoring mechanism was needed to analyse the progress achieved in realizing internationally agreed commitments, and there should also be an assessment of provisions in various international human rights instruments having a direct bearing on the right to development. The High Commissioner should prepare a report on the system-wide coordination of the goals of the right to development and their impact. Serious consideration should also be given to elaborating an international instrument on the right to development, since it would be useful to bring its disparate components under one umbrella.

59. Mr. AL-MALKI (Observer for Qatar) said that the right to development was both an individual and a collective right, as well as being a driving force for the modernization of poor countries. Peace and international security were prerequisites for the right to development and they should therefore be promoted vigorously. Since poverty was a serious obstacle to the enjoyment of the right to development, appropriate development programmes should be put in place at the national level.

60. His delegation noted with concern the growing divide between developed and developing countries, and the increasing marginalization of the latter. Rich countries frequently exploited and manipulated poor countries by imposing unfair economic conditions on them. Attitudes needed to change so that international cooperation would be seen as the natural outcome of a mutually beneficial relationship between developed and developing countries.

61. Mr. AL-KHANJARI (Observer for Oman) said that, despite the numerous declarations and programmes of action at the international level, the world was still waiting for the right to development to materialize. Instead the international community had witnessed a growing divide between rich and poor nations. The open-ended working group on the right to development was performing extremely valuable work in attempting to level the global playing field and thereby emancipate more than two thirds of the human race from poverty. North-South relations should be placed on an equal footing and a fresh perspective should be developed regarding loans, debts, and regional economic planning.

62. At the national level, his Government had adopted a number of legal, procedural and administrative measures to manage economic and social change in the context of globalization, and it had participated actively in all international forums on to the right to development.

63. Mr. OULD SIDI HAIBA (Observer for Mauritania) said that the developing countries were beset by extreme poverty, and the gulf between rich and poor nations never ceased to widen. Poor countries were handicapped by limited access to international markets, heavy debts, and inadequate technology transfers, all of which threw their unpreparedness for globalization into stark relief. Peace and international security were essential for international cooperation, which in turn was the cornerstone of the right to development. His delegation commended NEPAD as a blueprint for cooperation between developed and developing countries. Its importance had been rightly emphasized by the working group.

64. Mr. JANSONS (Observer for Latvia) said that the pace of work in the open-ended working group on the right to development demonstrated that further discussion was needed to translate conceptual thinking into a clear policy dialogue focusing on specific themes such as economic strategies, the fight against corruption, and GDP expenditure components. The Commission should seize the opportunity to enrich the debate with new elements.

65. Any discussion of the right to development should focus on the central importance of democracy and good governance. It was essential that citizens should be enabled to participate at all levels of decision-making, and freedom of expression and association should be guaranteed. Latvia understood the development process primarily in economic terms, the lesson of 50 years of Soviet occupation having shown that economic growth and development were impossible without the rule of law, a stable macroeconomic environment, respect for human rights and market-oriented policies. The role played by individual United Nations agencies and institutions in the development process, for example the United Nations Industrial Development Organization (UNIDO), should also be noted and duly commended.

66. Mr. MENGESHA (Observer for Ethiopia), after endorsing the statement by the spokesman for the African Group, said that the right to development should be seen from an integrated perspective: one set of rights should not be given priority over another. An integrated approach should take into account development, democracy, human rights, the environment and equitably shared growth. The central objective of development was the human person; human rights were therefore prerequisites for true development, which required that individuals and groups should be able to play an active role in their countries.

67. In the same way, developing countries must participate in decision-making on major international economic issues, such as structural inequalities in the international trade system, the debt burden, protectionism, deteriorating terms of trade and declining flows of ODA. The international community should come up with a multi-pronged debt strategy to resolve the external debt problem, which was a major impediment to the development efforts of developing countries. It should also provide additional and predictable resources and take steps to reduce or eliminate tariffs and unfair trade practices, which undermined developing countries' participation in the international trade regime.

68. NEPAD, although playing a significant role in working towards the realization of the right to development in the continent of Africa, could not achieve its purpose without the assistance of development partners at the international level, in addition to sustained efforts by the Africans themselves. The development of long-term partnerships based on mutual trust was crucial.

69. At the domestic level, his Government's core strategy revolved around Agricultural Development Led Industrialization, which developed human resources, since it combined participation by the people, poverty alleviation, supportive environmental growth and the advancement of human rights and welfare. The new development policy integrated the gender aspect into all elements of development activities. Its fundamental goal was to bring the deprived and the disadvantaged from the periphery to the centre of development.

70. Since a well-functioning civil service and the elimination of corruption and the abuse of power were of paramount importance, key elements in the Government's programme were the establishment of the Federal Anti-Corruption Commission and the Civil Service Reform Programme.

71. Mr. AL-MAKHATHI (Observer for Yemen), after endorsing the statement by the spokesman for the least developed countries, said that Yemen qualified as one of the least developed countries on the basis of its per capita income but also on account of its general standard of living. Some progress had, however, been made as a result of economic reform. A study made in 1999 had shown that the proportion of families suffering from poverty and malnutrition was 27 per cent. The terrorist attacks in the United States on 11 September 2001 had dealt a heavy blow to the Yemeni economy, which had been on course for a substantial drop in its budget deficit, amounting to 3 per cent.

72. Progress had been made, with help from donors including Germany, the Netherlands and Japan, in setting up a development programme, the main element of which was a Social and Development Fund. The aim was to establish projects in rural areas to help generate income among the most vulnerable strata of society: there remained wide disparities in income between persons in urban and rural areas. In the same way, the increasing gap between the developing and developed countries must also be reduced; to that end concessions should be made by the rich countries.

73. His delegation supported all initiatives and resolutions designed to implement the right to development. The recent outcome of the International Conference on Financing for Development, if properly implemented, would go far to eradicate extreme poverty and, since poverty was the greatest threat to peace, to establish greater security throughout the world.

74. Archbishop MARTIN (Observer for the Holy See) said that the principle enunciated in the Rio Declaration that human beings were the centre of concerns for sustainable development had been borne out by the social and economic evolution that had followed the move towards a knowledge-based, globalized economy. Unfortunately, as Pope John Paul II had said, many people did not have the means to take their place, in an effective and dignified way, within a

productive system in which work was truly essential. Poverty must be defined not simply in terms of a lack of economic income but more in terms of a person's inability to realize his or her God-given human potential.

75. The nature of a modern economy showed that it might be possible to forge a new synergy between economic reflection and human rights. The right to development should no longer appear to be in contrast with a market-driven policy, but rather a prerequisite for the development of a strong modern economy. The more human potential was realized, the stronger a country's economy would be.

76. Likewise, the right to development would not be seen as being opposed to good governance, which essentially, along with democracy, facilitated the participation of citizens in decisions affecting their lives. Governance could be said to be functioning well when human potential was truly channelled towards creative participation in the economy and in society. At the international level, a just system of government required that all States, including the poorest, had access to the decision-making procedures of the organizations that affected their future.

77. It was a paradox to speak in the same breath of globalization and marginalization. "Global" should mean "inclusive". The Holy See expressed the hope that, within the new spirit of international cooperation concerning development, the working group would be able to reach a consensus on the definition and realization of the right to development.

78. Mr. LAABAS (Observer for the Organization of African Unity) said that the question of implementing the right to development was particularly crucial for the African continent, which had suffered under the colonial yoke and seen its natural resources pillaged and its people reduced to slavery, thus contributing to the prosperity of other countries and peoples. It was no accident that 34 of the least developed countries were in Africa.

79. The Durban Conference had rightly included in its final Declaration an acknowledgement of the injustices of the past. That acknowledgement, albeit tardy, raised the hope of a new approach on the part of the international community to a more active human solidarity.

80. Africans themselves would work, within their extremely limited means, to catch up and respond to the legitimate aspirations of their peoples. NEPAD had been established in that spirit, as a complement to previous development plans and programmes, by mobilizing Africa's capacities towards a common objective. The aim was to facilitate the continent's development through solidarity with other regions and with the help of international institutions. The working group's recognition of the merits of NEPAD was therefore welcome. He emphasized that, contrary to what had been stated in the press, NEPAD was not intended to benefit only the most industrialized African countries but was intended to encourage all parts of the world to maintain mutually beneficial relations with Africa in a partnership founded on respect for human dignity.

81. Mr. VAN DER KWAST (Observer for the Netherlands), after endorsing the statement by the representative of Spain, on behalf of the European Union, said that implementation of the right to development was the responsibility of States, regional organizations and international

organizations. The United Nations had a particular role to play since the Millennium Development Goals could be attained only if States were determined to work together. Any attempt to use the right to development as a new political vehicle to highlight the differences between North and South would be counterproductive.

82. For donor countries, the prime responsibility was to realize the commitment to contribute 0.7 per cent of their GNP to ODA. Unfortunately, many countries had still not done so. His own Government contributed 0.82 per cent of its GNP for that purpose.

83. Another important element of the right to development was the incorporation of good governance into development strategies. A human rights-based approach should be applied in the day-to-day work of development cooperation. Developing countries should develop "pro-poor" strategies, strengthen good governance and design and promote policies to implement all human rights.

84. New complex structures for the implementation of the right to development were unnecessary, but there was a need to integrate and coordinate national and international policies further. New and existing partnerships should be used and extended. In his future studies, the independent expert should link his ideas to concrete examples of partnerships and the role of various monitoring mechanisms.

85. Ms. MEEHAN (Observer for Australia) welcomed the constructive spirit that prevailed in meetings of the working group on the right to development. A foundation for future work had been agreed and her delegation looked forward to a continuation of the consensual and cooperative approach at future meetings.

86. National actions, particularly those directed towards good governance, provided the most practical and most effective framework for States to meet their obligations with regard to the right to development. In that respect, the working group had recommended that the independent expert should carry out an appraisal or survey of country-specific studies, perhaps including some in the context of the NEPAD framework. Such a survey would provide the working group with information on the wealth of national and regional practices and approaches that would facilitate the implementation of the right to development. It would also help States to gain better access to such potentially useful information and ideas.

87. The working group had also concluded that an international environment conducive to the realization of the right to development was an important factor and had examined what actions would bring about such an environment. It had emerged that an impressive range of international action was being undertaken and that the international environment was becoming ever more supportive of States' efforts to operationalize the right to development. The working group would undoubtedly continue to follow such progress with interest, while not intruding itself into multilateral negotiations in areas where other international organizations or processes were mandated to do so.

88. There had been much discussion as to whether the right to development should have a permanent follow-up mechanism. While various bodies had provided appropriate venues for the exploration of human rights concerns associated with the right to development, her delegation

did not believe that the question of whether a new, additional mechanism was justified had been answered or even properly considered. It therefore remained unconvinced of the need for any such mechanism.

89. Mr. REYES RODRÍGUEZ (Observer for Colombia) said that his Government had, by its work against corruption, shown a clear commitment to establishing an environment in which the right to development could be implemented. His delegation was, in fact, to have the honour of presiding over the body responsible for drafting an international convention against corruption. It was important to recall, however, that the Declaration on the Right to Development also emphasized that States should, equally, create favourable international conditions for development. Indeed, in a globalized world, development was impossible without a favourable climate in such areas as funding, cooperation, investment and trade.

90. Colombia had a population of over 40 million, with great artistic, cultural and scientific talent, and a territory richer in biodiversity than most. Yet half the population lived in poverty, largely because of two factors that had arisen over recent decades, widening still further the traditional economic and social disparities: the drug problem and an internal conflict waged by small, violent groups.

91. The drug problem, which provided most of the finance for violence and terrorism in his country and elsewhere, would be resolved only if cooperation was achieved for the eradication of narcotic crops and the banning of such crops in the producer countries, controls in the industrialized countries to prevent the diversion of chemical precursors, drug consumption prevention and control throughout the world, a halt to irresponsible arms sales and a real commitment by the international community to take money laundering.

92. To combat the drugs trade and to implement the right to development required more than mere solidarity. It was also necessary for the industrialized countries to contribute 0.7 per cent of their GDP to ODA. Moreover, the developed countries should not place obstacles in the way of the less developed through protectionism, which limited the opportunities of the more vulnerable countries to progress. Foreign direct investment (FDI) was needed to create jobs and improve incomes in the receiving countries. Lastly, funding should take social criteria into account, placing development before profitability.

93. Ms. PONCINI (International Federation of University Women), speaking also on behalf of the International Federation of Business and Professional Women, International Council of Women, Zonta International, International Alliance of Women, World Organization of Former Pupils of Catholic Education, Inter-African Committee, World Union of Catholic Women's Organizations, World Young Women's Christian Association, World Federation of Methodist and Uniting Church Women, International Association for Counselling, Women's International Zionist Organization, Brahma Kumaris World Spiritual University and Socialist International Women, said that gender equality was a core development goal in its own right, and not just a desirable by-product of development. Gender discrimination was the source of endemic poverty and low economic growth because women were unequal in political, economic, social and cultural status.

94. Education throughout life was crucial to development and the eradication of poverty. It gave people the knowledge base for the awareness and practice of their rights. As half the population, women must be involved in society and given the resources to be educated over their life span. Educating girls, who could give economics a human face, was of particular importance in that regard.

95. It was regrettable that, in his oral report, the independent expert had not mentioned that top priority should be given to the application of a gender perspective in the process of realizing the right to development. Women had a right to participate actively in deciding how the development process should take place to advance their status in society, taking as benchmarks the 12 critical areas of concern identified in the Beijing Declaration and Platform for Action. They had a legitimate role not only in the social areas, to which they were often relegated, but in macroeconomic decision-making; all women worked every day of their lives, whether earning an income or doing unpaid work at home, estimated in 1995 as being to the value of US$ 11 trillion per year.

96. Macroeconomic policies, until recently viewed by policy makers as gender-neutral, were in fact gender-blind. Current policies actually reinforced the exploitation of women in economic development: the undervaluing of household and other domestic work created an unfavourable bias towards women in employment, because they were the first to suffer in situations of precariousness, such as the downsizing of the civil aviation industry after the terrorist attacks of 11 September 2001.

97. The non-recognition of women's work had had a negative consequence for women's income, which ranged from 40 per cent to 80 per cent below that of men worldwide. Such factors were exacerbated by the exploitation of women's increasing activity in the informal economy, which had led to the feminization of poverty, particularly among older women who bore the triple burden of being carers, single heads of households and guardians of grandchildren and HIV/aids orphans. Gender inequalities should be taken into account by policy formulators.

98. Balancing work and family life was the biggest challenge to women and discrimination against them was based on the perception that they were unable to achieve an adequate performance at work owing to their primary commitment to the family and domestic life. That concept was obsolete, yet legislation and practice had not adapted to social and economic change. Women represented over 40 per cent of the global labour force.

99. Other constraints were the lack of access to productive resources. Financial and banking institutions should abandon the unfounded notion that women could not be given credit because they were unable to guarantee the repayment of debts. In fact, women's repayment performance ranged from 98 to 100 per cent. Yet the denial of access to credit, and to training in key areas of production, management and marketing, prevented them from participating in economic decision-making.

100. Information and communication technology (ICT) had the potential to be a gender equalizer, because women could combine their traditional family roles with work without leaving their homes. Efforts should be made to increase their access to such work, but without laying additional burdens on their shoulders. One strategy would be to implement International

Labour Organization (ILO) Convention No. 156 concerning Equal Opportunities and Equal Treatment for Men and Women Workers. That would provide an environment giving women the opportunity to exercise their right to remunerated work.

101. Lastly, women must be supported by institutional changes, including gender budgeting, auditing and appropriation and the systematic collection and analysis of data desegregated by sex and age. Temporary proactive measures should also be introduced, as provided for in the Convention on the Elimination of All Forms of Discrimination against Women. Such measures would help raise gender equality and have a lasting impact on the attitudes and behaviour of the people holding economic and social power. The Millennium Development Goals for the eradication of poverty would be met when women and men became equal partners in society.

The meeting rose at 1.00 p.m.